

**Planning Commissioner's Written Comments
April 14, 2015**

US 70 Self-Storage Center (Z1400020)

BUZBY – This proposal has far too many unanswered questions regarding transportation issues. Given these unanswered questions and the fact that this request is not consistent with the Durham Comprehensive Plan I do not support this proposal.

Explanation of Recommendation: My vote on the motion to recommend approval of the rezoning case referenced above is against. Reasons for voting “no:” Problems of traffic congestion and inadequate transportation infrastructure.

FREEMAN – Question: What’s the relation to this location to East End connector? Plan alignment. Should be coordinated with other East developments. Even greater piecemeal.

The rezoning requested in not in compliance with the Durham Comprehensive Plan. Reasons for voting “no:” Access on 70 of an additional driveway is repugnant, unsafe, and unnecessary.

GIBBS – Not approved with commitment to bear full costs of drives relocation when US 70 becomes limited access freeway. This complicates zoning, building plan of trucking company to coincide with storage center. Need further planning of development partners.

HARRIS – Voted against. The rezoning requested in not in compliance with the Durham Comprehensive Plan, MTD and Wake Durham Comprehensive Street System Plan.

HUFF – Voted against this because it has too many hypothetical components. There are access problems starting with where the proposed access point is off of Hwy70 because exiting traffic will be entering the highway very close to a stoplight. Then there is the matter of future road widening of 70 and how that access point to the property will no longer be viable. So the plan is not in conformance with other adopted plans. Apparently a frontage road can’t be built and people are uncertain who will really pick up the tab for moving the access point when the road widening happens. Alternative access points are contingent on the completion of the Page Rd. extension or through the property to the east, which will be controlled by some other owner.

HYMAN – Reject. Voted against.

MILLER – The council should vote no on this rezoning request. This rezoning will amend a development plan originally approved because it limits access points on Hwy 70 in order to create an access point on Hwy 70. The city and state's goal with regard to Hwy 70 is to improve it an make a limited access facility. This is a wise policy, but the requested rezoning flies in its face. I also oppose this rezoning because it splits an existing development plan. If it were approved, a new development plan would govern the western half of the property now governed by the current D-plan. The eastern half of the property would continue to be governed by the rump of the old plan.

The beauty of development plan zoning is its ability to deal with shared considerations for a site comprehensively. Splitting up a development plan after it has been adopted by looking only at a part of the property it covers tends to ruin the whole point of the plan in the first place. While it may be legally possible to split up an adopted D-plan, it seems unwise and counterproductive to do so.

In the existing development plan, the access to the subject property is across the eastern portion. No direct access to Hwy 70 is permitted. This makes sense and it should stay that way. The developer will argue that he has permission from NCDOT for a temporary connection to Hwy 70 and that DOT has promised that if future improvements to the highway require that access point to be moved, the DOT will bear the cost. The developer also argues that if it is necessary to move the access, future access to the property will be by way of the realigned Page-Leesville Road. There are several problems with this argument. First, the current public policy and public interest lies in having no direct connection to Hwy 70 at this point - temporary or otherwise. Second, even if NCDOT pays some or all of the cost of moving the access point, the money comes from taxpayers. Why would we break a wise policy decision today only to have to pay for it out of the public purse later. It is of no particular solace to me as a taxpayer that the purse is the state's as opposed to the city's. The money in both is mine. Third, once we have split the development plan in two and break, thereby, the sensible arrangement for shared access between the two halves of the property, we won't get that shared access back. The developer will be able to plead a hardship case to NCDOT that the temporary access to 70 is a necessity. Why create such a situation if we do not have to? Finally, we have no idea whether the realignment of Page and Leesville roads will engage this property at all. That is a bird in the bush. Let's keep the one we have in hand.

PADGETT – In favor. Approve.

WHITLEY – I vote not to approve. The rezoning requested is not in compliance with the Durham Comprehensive Plan.

WINDERS – This proposal makes no sense.

- 1) Is a change of part of a development plan. The full plan should be renegotiated all together.
- 2) Applicant has agreed to pay for relocation of driveway should Rt. 70 become limited access. However, according to the applicant, the relocation would have to be Page Road Extension, a road that has not yet been even designed (its location is unknown).
- 3) Until Rt. 70 becomes limited access, drivers between Brier Creek and Durham would have to deal with an additional access point that is on a hill near a stop light.

The rezoning requested is not in compliance with the Durham Comprehensive Plan. My vote on the motion to recommend approval of the rezoning case referenced above is against. Reasons for voting "no:" Problems of traffic congestion and inadequate transportation infrastructure. Inconsistent with plans to limit additional access points on Rt. 70.